

EXHIBIT B

From: info@garciavideoprivacyclassaction.com (BYUtv Settlement)
To: JonQClassMember@domain.com
Re: Legal Notice of Class Action Settlement

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT
Benjamin Garcia v. Brigham Young University d/b/a BYU Broadcasting
Case No. 1:24-cv-00188-AMA-DAO
(U.S. District Court for the District of Utah)

**Records Indicate You May Be Entitled to a Payment From a Class Action Settlement Because
You Have a Subscription to BYUtv**

**Click [HERE] to File a Claim for Payment
Claims Must Be Submitted no later than [Claims Deadline]**

A court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.

This notice is to inform you that a settlement (the “Settlement”) has been reached in a class action lawsuit (the “Action”) filed by a BYUtv account holder (“Plaintiff”) alleging that Brigham Young University d/b/a BYUtv (“Defendant” or “BYUtv”) disclosed its subscribers’ personally identifiable information (PII) about audio visual materials viewed to Meta (formerly Facebook) via the Meta Pixel without consent, in violation of the 1988 Video Privacy Protection Act (VPPA), 18 U.S.C. § 2710, which governs “video tape service providers.” BYUtv disagrees and maintains that the VPPA does not apply to BYUtv, that BYUtv did not share any PII with Meta, and that no violation of privacy occurred. The Court has not decided who is right, and there has been no finding of wrongdoing. Rather, the parties have agreed to settle the matter to avoid costly and lengthy litigation. Because you have a BYUtv account, if you also have a Facebook account, you might qualify as a Settlement Class Member and may be able to apply for remuneration from a Settlement Fund.

Am I a Class Member? Our records indicate you may be a Settlement Class Member. Settlement Class Members are all persons in the United States who, at any time between November 12, 2022, through May 9, 2025, simultaneously: (1) had a Facebook account, (2) had a registered account (i.e., login credentials) with BYUtv, and (3) viewed one or more videos on www.byutv.org.

What Can I Get? If approved by the Court, BYUtv will create a Settlement Fund of at least \$1.25 million for the benefit of the Settlement Class. The Settlement Fund will be distributed on a pro rata basis to those who qualify as Settlement Class Members and who file a timely and complete claim, after deducting from the Settlement Fund any Court-approved attorneys’ fees and expenses of Plaintiff’s counsel, a service award for the class representative, and the costs of settlement administration. The Settlement also requires BYUtv to suspend operation of a marketing tool called the Meta Pixel on any BYUtv website page that includes video content and has a URL that substantially identifies the video content viewed, unless and until either (1) the VPPA is amended, repealed, or otherwise invalidated by judicial decision as applied to the use of website pixel technology, or (2) BYUtv obtains VPPA-compliant consent that would apply to disclosure of the video content viewed to Facebook.

How Do I Get a Payment? You must submit a timely and complete Claim Form no later than [claims deadline]. You can file a claim by clicking [here.] If you qualify, your payment will come by check unless you elect to receive electronically by Venmo, Zelle, PayPal, etc.

If you do not want emails about this matter, please unsubscribe [].

What are My Other Options? You may exclude yourself from the Settlement Class by sending a letter to the Settlement Administrator no later than [objection/exclusion deadline]. If you exclude yourself, you cannot get a settlement payment, but you will keep any rights you may have to sue BYUtv regarding the issues in the lawsuit. Alternatively, if you remain in the Settlement Class, you may object to the proposed Settlement, and you and/or your lawyer have the right to appear before the Court. Your written objection must be filed no later than [objection/exclusion deadline]. Specific instructions about how to exclude yourself from, or object to, the Settlement are available at www.garciavideoprivacyclassaction.com (the “Settlement Website”). If you file a claim or do nothing, and the Court approves the Settlement, you will be bound by all of the Court’s orders and judgments. In addition, your claims against BYUtv relating to issues in this case will be released.

Who Represents Me? The Court has appointed Allen Carney, Hank Bates, and Sam Jackson of Carney, Bates & Pulliam, PLLC, Jacob D. Barney of Anderson & Karrenberg, P.C., and Mark Reich of Levi & Korsinsky LLP to represent the Settlement Class. These attorneys are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense.

When Will the Court Consider the Proposed Settlement? The Court will hold the Final Approval Hearing at _____.m. on [date] in Courtroom 2B at the St. George Courthouse, 206 Tabernacle Street, St. George UT 84770 or 351 S. West Temple, Salt Lake City UT 84101. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider Class Counsel’s request for attorneys’ fees and expenses; and to consider the request for a Service Award to the Class Representative. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

How Do I Get More Information? This notice contains only a summary of the Settlement and the proceedings to date. Complete copies of public pleadings, Court rulings, and other filings are available for review and copying at _____ between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding Court holidays. Additional information is also available on the Settlement Website, or by contacting the Settlement Administrator at XXX-XXX-XXXX or info@garciavideoprivacyclassaction.com.

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